

Serial No. 09/872,362
Amdt. Dated March 15, 2005
Reply to Office Action of February 3, 2005

REMARKS/ARGUMENTS

Prior to this Amendment, claims 1, 2, and 6-60 were pending in the application.

No claim amendments are made with the pending claims being presented for the convenience of the Examiner.

Claims 1, 2, and 6-60 remain for consideration by the Examiner.

Claim Rejections Under 35 U.S.C. §102

The February 3, 2005 Office Action also rejected claims 1, 2, and 6-60 under 35 U.S.C. §102(b) as being anticipated by "A Debate on Language and Tool Support for Design Patterns", published January 2000 ("Chambers"). This rejection is traversed based on the following remarks.

Initially, Applicants request that the finality of the rejection be withdrawn. Independent claims 1, 20 and 39 were rejected in the Office Action as having similar limitations but in differing form, and the Office Action on pages 2 and 3 provided specific citations to Chambers for each limitation of claim 1 (which are addressed in the remarks below). However, the Office Action on page 3 provides no specific teaching of Chambers for each of the dependent claims but simply states that the rejection of claims 1, 20, and 39 is incorporated and the further cited references teach "directly or indirectly the claimed limitations." This fails to make an anticipation rejection and also fails to make an obviousness rejection under 35 U.S.C. §103.

Specifically, Applicants added claims 58-60 and amended dependent claims 19, 38, and 57 in the last response in an attempt to further prosecution of the case. However, it is not clear whether the new limitations were considered by the Examiner and if they were, which of the references are thought to teach or suggest the new limitations. Hence, Applicants believe the rejection of claims 2, 6-19, 21-38,

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and 40-60 is improper and should be withdrawn or at the very least, that the finality of the rejection should be withdrawn and specific citations provided for each and every limitation presented in the dependent claims.

Independent claim 1 is directed to a method for providing a design pattern that includes "providing a plurality of design patterns having differing types, each of the design patterns comprising a description of design issues addressed by the particular design pattern and of the solution provided by the particular design pattern." Input is received "defining a programming problem" and then, a match of one of the types of the patterns is determined. A plurality of instances of the matched type are then provided which is followed by receiving selection input and returning the selected one of the design pattern instances. Chambers fails to teach or even suggest at least the last 5 elements of the method of claim 1 and hence, claim 1 is allowable over this reference.

More particularly, the Office Action cites Chambers at page 280, col. 1, 2nd paragraph, Item 3.2.1.1 for teaching the "receiving input defining a programming problem." Applicant disagrees with this interpretation of Chambers. Item 3.2.1.1 is entitled "Programming Language" and discusses the meaning of a "language" in the programming field (a "language is a format for expression of an algorithm..."). There is no teaching in this section of a method that includes "receiving input" let alone input that defines "a programming problem." For this reason alone, Chambers fails to anticipate the method of claim 1.

Further, the Office Action cites Chambers at page 278, col. 1, first paragraph, items 1-4 for teaching the claim element of "determining a matching one of the types of design patterns based on the received input." Applicants again disagree with this interpretation of Chambers. At the cited section, Chambers discusses the benefits of using design patterns in general but fails to teach determining a matching one of

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the types of design patterns (provided as a plurality of patterns of differing types in the first element of the claim) "based on the received input." In other words, a general discussion of benefits of patterns does not teach a step of selecting a matching type of pattern based on received input defining a programming problem. Because Chambers fails to teach this element of claim 1, the rejection based on Chamber is improper and should be withdrawn.

Yet further, the Office Action cites Chambers at page 278, second column, first paragraph for teaching "providing a plurality of instances of said matching type of design pattern." However, this paragraph is discussing "what is considered a design pattern" as being "sensitive to the underlying programming language." There is no teaching in this paragraph of providing a plurality of instances of a matching type of design pattern. For this additional reason, claim 1 is allowable over Chambers.

Yet further, the Office Action cites Chamber for teaching receiving input indicating a selection of one of the instances and returning the selected instance at page 278, col. 2, second paragraph. Chambers in this paragraph simply asserts that programming language designers "should study design patterns...to gain inspiration in developing new abstraction mechanisms in their languages..." There is no teaching or suggestion of receiving input to selection among a plurality of design pattern instances of a matching type and then returning such an instance. Hence, Chambers fails to teach or even suggest these additional elements of claim 1, and claim 1 is believed in condition for allowance over Chambers.

Claims 2 and 6-19 depend from claim 1 and are believed allowable as depending from an allowable base claim. Further, claims 10-19 call for the selected design pattern to have a particular configuration, e.g., be a mediator view design pattern, be a service to workers design pattern, and the like. The Office Action at

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page 3 fails to provide any specific citations to Chambers or any other reference for teaching the limitations of claims 10-19. For these additional reasons, claims 10-19 are believed allowable over Chambers.

Claims 58-60 were provided in the last amendment to add features to the method of claim 1 that are not taught or suggested by Using Rose and are also not shown by Chambers. Chambers' generalized teaching fails to show design patterns that include sample code as called for in claim 58, include participants or constraints to design patterns as called for in claim 59, or teach a matching process for patterns based on input programming problems as called for in claim 60. The Office Action, again, fails to provide specific citations in Chambers or any other reference that teach or even suggest the limitations of claims 58-60, and hence, a proper case for anticipation or obviousness has not yet been made by the Examiner for these claims.

Independent claims 20 and 39 are amended to include limitations similar to that of claim 1, and the reasons provided for allowing claim 1 are believed equally applicable to these two claims. Claim 20 also calls for the design pattern to provide sample code, which is not shown by Chambers and the Examiner provides no discussion of this additional limitation but instead merely applies the reasons for rejecting claim 1 to claim 20. Hence, the rejection of claim 20 is not adequate and should be withdrawn for this additional reason. Claim 39 calls for the matching of the design pattern to be performed by comparing the received input with the design issues of the differing design pattern types, and Chambers fails to teach such a matching step with its visual programming techniques. Hence, claim 39 is believed allowable over Chambers for this additional reason (which again was not discussed in the Office Action as the rejection of claim 1 was simply applied to claim 39).

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Claims 21-38 and 40-57 depend from claims 20 and 39, respectively, and are believed allowable as depending from allowable base claims. Further, the arguments provided for allowing claims 10-19 over Chambers are applicable to claims 29-38 and 48-57.

Conclusions

Based on the above remarks, it is requested that a timely Notice of Allowance be issued in this case.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,



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